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March 12, 2008

Via Fax

Honorable Frank Maas
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1581

Application granted. The settlement conference is adjourned to 6/18/08 at 2 p.m. If this date and time are inconvenient, counsel should place a conference call to my Chambers to reschedule.

F. Maas, USMJ, 3/12/08

Re: *Antongiorgi v. United States of America*
Index No. 07 CV 3185 (FM)
Our File No. 26-0004

Dear Magistrate Judge Maas:

Our firm represents Plaintiff Angel Antongiorgi in the above-referenced medical malpractice action, brought pursuant to the Federal Tort Claim Act, against Defendant United States of America. The parties are presently scheduled to appear before Your Honor for a Settlement Conference on Friday, March 14, 2008 at 2:00 p.m. as set forth in the Court's Scheduling Order, dated September 19, 2007. This letter is written with the knowledge and consent of Defendant's counsel.

On November 14, 2007, Mr. Antongiorgi sustained a heart attack that resulted in his admission to Summerlin Hospital in Las Vegas, Nevada, where our client resides. In addition to surgical intervention, Mr. Antongiorgi was diagnosed with an infection in the heart which required aggressive antibiotic therapy. He remained in the hospital until December 24, at which time he was discharged home where he received an additional six weeks of antibiotic therapy via a PIC line. During this period of time, Mr. Antongiorgi could not travel to New York for his deposition. The PIC line was removed two weeks ago, and pending medical clearance, our client should now be able to fly to New York.

Consequently, we have fallen three months behind the discovery dates as contained in the Scheduling Order, and we are not prepared to engage in the scheduled Settlement Conference. The parties jointly request a three month adjournment of the Settlement Conference, and a three month extension to the discovery scheduling dates as specified in the Scheduling Order. There has been no previous request to adjourn the Settlement Conference. This request is made with the consent of AUSA Carolina A. Fornos who represents the Government in this matter.

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Thank you for your courtesy in this matter.

Respectfully submitted,



JOHN S. KANZLER

cc: Via Fax

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